

25 SEP 2001

Patents

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DESIGNATED/ELECTED OFFICE**

International Application of: **Peter Becker et al.**

Title: **Method of Detecting Analytes in a Sample and Support
For This Purpose**

Filing Date: **02 August 2001**

International Application No. **09/890,665**

Agents' Docket No. **48498-0120 (48498-261640)**

PROVISION OF SUBSTITUTE SPECIFICATION

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Attn: DO/EO/US

Sir:

Prior to examination of the present application, please enter the following substitution:

In The Specification

Please substitute the enclosed certified translation of PCT Application No. PCT/EP 00/0876, for the Specification filed in the above-referenced matter on August 2, 2001.

Remarks

This substitution is to correct obvious translation and typographical errors. No new matter is added by this substitution.

"Express Mail" Mailing Number: **EL602999762US**
Date of Deposit: **September 25, 2001**

Second Preliminary Amendment
Attorney Docket No.: 48498-0120 (261640)
Page 2

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,

Mary Anthony Merchant, Ph.D.
Reg. No. 39,771

KILPATRICK STOCKTON LLP
Suite 2800
1100 Peachtree Street
Atlanta, GA 30309
Telephone: 404-815-6500
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Attorney Docket No. 48498-0120 (48498-261640)

DO NOT FILE - DRAFT



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9-27-01 1011 Rec'd PCT/PTO SEP 25 2001

Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (Rev. 1-98)		Attorney's Docket Number 48498-0120 (48498-261640)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		
International Application No.	International Filing Date	Priority Date Claimed
PCT/EP00/00876	03 February 2000	03 February 1999
Title of Invention		
METHOD OF DETECTING ANALYTES IN A SAMPLE AND SUPPORT FOR THIS PURPOSE		
Applicant(s) for DO/EO/US		
Becker, Peter and Hörber, Heinrich		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.		
3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).		
4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))		
a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).		
b. <input type="checkbox"/> has been transmitted by the International Bureau.		
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).		
6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))		
a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).		
b. <input type="checkbox"/> have been transmitted by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.		
d. <input checked="" type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 16 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A FIRST preliminary amendment.		
14. <input type="checkbox"/> A SUBSTITUTE specification.		
15. <input type="checkbox"/> A change of power of attorney and/or address letter.		
16. <input checked="" type="checkbox"/> Other items or information: \$40 check for Assignment Recordation; Return Postcard; A Substitute Specification.		

Express Mail Label No. EL602999762US	Date: 25 September 2001	Page 1 of 2
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U.S. Application No. (if known, see 37 CFR 1.5)	International Application No. PCT/EP00/00876	Attorney's Docket Number 48498-0120 (48498-261640)
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17. The following fees are submitted:

CALCULATIONS PTO USE ONLY

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$970.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$760.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

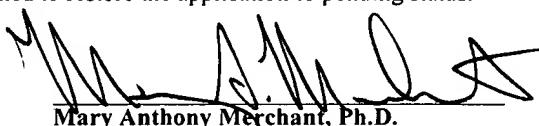
Claims	Number Filed	Number Extra	Rate	\$	
Total claims	0 - 20 =	0	x 18.00	\$.00	
Independent Claims	2 - 3 =	0	x 78.00	\$.00	
Multiple Dependent Claims (if applicable)		+ 260.00		\$.00	
TOTAL OF ABOVE CALCULATIONS =				\$.00	
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$.00	
SUBTOTAL =				\$.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$.00	
TOTAL NATIONAL FEE =				\$.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 40.00	
				Amount to be refunded: \$	
				charged: \$	

- a. A check in the amount of \$ _____ to cover the above fees is enclosed.
b. Please charge my Deposit Account No. 11-0855 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 11-0855. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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Atlanta, Georgia 30309-4530
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FORM PTO-1390 (Rev. 1-98) adapted

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